



February 9, 2007

HOUSE BILL No. 1198

DIGEST OF HB 1198 (Updated February 7, 2007 5:33 pm - DI 96)

Citations Affected: IC 9-18; IC 9-20; IC 9-29; IC 20-27; noncode.

Synopsis: Buses. Modifies the registration cycle for school buses not owned by a school corporation. Requires that a school bus not owned by a school corporation must be registered before August 1 of each year. Permits a school bus not owned by a school corporation that is registered after January 31 for the prior calendar year to be registered at one-half the regular rate. Provides that a license plate for a school bus not owned by a school corporation issued before March 1, 2007, may be displayed through July 31, 2008. Sets maximum length limitations for buses. Makes conforming amendments.

Effective: Upon passage; July 1, 2007.

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January 11, 2007, read first time and referred to Committee on Roads and Transportation.
February 8, 2007, amended, reported — Do Pass.

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HB 1198—LS 7005/DI 96+



February 9, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1198

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-18-2-7, AS AMENDED BY P.L.79-2006,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 7. (a) A person who owns a vehicle subject to
4 registration shall register each vehicle owned by the person as follows:

5 (1) A vehicle subject to section 8 of this chapter shall be
6 registered under section 8 **of this chapter**.

7 (2) Subject to subsection (g), a vehicle not subject to section 8 **or**
8 **8.5** of this chapter or to the International Registration Plan shall
9 be registered before:

10 (A) March 1 of each year; or

11 (B) an earlier date subsequent to January 1 of each year as set
12 by the bureau.

13 (3) School buses owned by a school corporation are exempt from
14 annual registration but are subject to registration under
15 IC 20-27-7.

16 (4) Subject to subsection (f), a vehicle subject to the International
17 Registration Plan shall be registered before April 1 of each year.

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(5) A school bus not owned by a school corporation shall be registered subject to section 8.5 of this chapter.

(b) Registrations and reregistrations under this section are for the calendar year. Registration and reregistration for school buses owned by a school corporation may be for more than a calendar year.

(c) License plates for a vehicle subject to this section may be displayed during:

(1) the calendar year for which the vehicle is registered; and

(2) the period of time:

(A) subsequent to the calendar year; and

(B) before the date that the vehicle must be reregistered.

(d) Except as provided in IC 9-18-12-2.5, a person who owns or operates a vehicle may not operate or permit the operation of a vehicle that:

(1) is required to be registered under this chapter; and

(2) has expired license plates.

(e) If a vehicle that is required to be registered under this chapter has:

(1) been operated on the highways; and

(2) not been properly registered under this chapter;

the bureau shall, before the vehicle is reregistered, collect the registration fee that the owner of the vehicle would have paid if the vehicle had been properly registered.

(f) The department of state revenue may adopt rules under IC 4-22-2 to issue staggered registration to motor vehicles subject to the International Registration Plan.

(g) The bureau may adopt rules under IC 4-22-2 to issue staggered registration to motor vehicles described in subsection (a)(2).

SECTION 2. IC 9-18-2-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8.5. (a) Notwithstanding section 8 of this chapter, a school bus owned by a person other than a school corporation shall be registered before August 1 of each year.

(b) Registration and reregistration for a school bus under this section is for one (1) year.

(c) A certificate of inspection issued under IC 20-27-7-3 must accompany a registration and reregistration application of a school bus under this section.

(d) A person registering a school bus under this section shall pay the annual registration fee required under IC 9-29-5-8.

(e) Upon registration of a school bus under this section, the bureau shall issue a semipermanent license plate under section 30

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of this chapter, or:

(1) an annual renewal tag; or

(2) other indicia;

to be attached on the semipermanent plate.

(f) A license plate issued under this section may be displayed during:

(1) the calendar year for which the school bus is registered; and

(2) the period:

(A) subsequent to the calendar year; and

(B) before August 1 of the subsequent year.

SECTION 3. IC 9-20-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The maximum length limitations for buses are as follows:

(1) For an articulating bus used for public transportation purposes, sixty-five (65) feet.

~~(2) For a conventional school bus, thirty-eight (38) feet.~~

~~(3) (2)~~ For a transit school bus, forty-two (42) feet.

~~(4) (3)~~ For all others, forty-five (45) feet.

SECTION 4. IC 9-29-5-42, AS AMENDED BY P.L.210-2005, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 42. (a) Except as provided in subsection (c), vehicles not subject to IC 9-18-2-8 **or IC 9-18-2-8.5** shall be registered at one-half (1/2) of the regular rate, subject to IC 9-18-2-7, if the vehicle is registered after July 31 of any year. This subsection does not apply to the following:

(1) Special machinery.

(2) Semitrailers registered on a five (5) year or permanent basis under IC 9-18-10-2.

(3) An implement of agriculture designed to be operated primarily on a highway.

(b) Except as provided in subsection (c), subsection (a) and IC 9-18-2-7 determine the registration fee for the registration of a vehicle subject to registration under IC 9-18-2-8(c), IC 9-18-2-8(d), and IC 9-18-2-8(e) and acquired by an owner subsequent to the date required for the annual registration of vehicles by an owner set forth in IC 9-18-2-8.

(c) Subject to subsection (d), a vehicle subject to the International Registration Plan that is registered after September 30 shall be registered at a rate determined by the following formula:

STEP ONE: Determine the number of months before April 1 of the following year beginning with the date of registration. A

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partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the annual registration fee for the vehicle by the STEP TWO result.

(d) If the department of state revenue adopts rules under IC 9-18-2-7 to implement staggered registration for motor vehicles subject to the International Registration Plan, a motor vehicle subject to the International Registration Plan that is registered after the date designated for registration of the motor vehicle in rules adopted under IC 9-18-2-7 shall be registered at a rate determined by the following formula:

STEP ONE: Determine the number of months before the motor vehicle must be reregistered. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the annual registration fee for the vehicle by the STEP TWO result.

(e) A school bus subject to registration under IC 9-18-2-8.5 that is registered after January 31 for the prior calendar year shall be registered at one-half (1/2) the regular rate.

SECTION 5. IC 20-27-7-16, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 16. When the owner of a school bus applies for a registration plate **under IC 9-18-2-7 or IC 9-18-2-8.5**, the owner shall submit with the application a certificate of inspection ~~and safety~~ issued under **section 3** of this chapter. If the certificate **of inspection** does not accompany an owner's application, the bureau of motor vehicles may not issue a registration plate.

SECTION 6. IC 20-27-7-18, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 18. (a) A school corporation that owns a school bus or a special purpose bus and uses the school bus or special purpose bus to transport students is exempt from the payment of the annual registration fee for the school bus or special purpose bus. On application by a school corporation, the commissioner of motor vehicles shall furnish registration number plates for exempted vehicles without charge. Application for registration of exempted vehicles shall be:

(1) made whenever a newly acquired school bus or special purpose bus requires a registration number plate;

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1 (2) made whenever a registration number plate is transferred from
2 one (1) school bus or special purpose bus owned by the school
3 corporation to another school bus or special purpose bus owned
4 by the school corporation;

5 (3) made in the name of the school corporation that owns the
6 school bus or special purpose bus to be registered; and

7 (4) signed by the proper official of the school corporation.

8 (b) An owner other than a school corporation that owns a school bus
9 or a special purpose bus and uses the school bus or special purpose bus
10 to transport students is not exempt from annual registration **as**
11 **required under IC 9-18-2-8.5** or payment of the annual registration
12 fee for school buses.

13 SECTION 7. [EFFECTIVE UPON PASSAGE] **(a) A person that**
14 **has registered a school bus owned by a person other than a school**
15 **corporation before March 1, 2007, in compliance with IC 9-18-2-7,**
16 **before its amendment by this act, may display the license plates**
17 **issued for the school bus in 2007 through July 31, 2008.**

18 **(b) This SECTION expires December 31, 2008.**

19 SECTION 8. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1198, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 12 through 35, begin a new paragraph and insert:

"SECTION 3. IC 9-20-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. The maximum length limitations for buses are as follows:

- (1) For an articulating bus used for public transportation purposes, sixty-five (65) feet.
- ~~(2) For a conventional school bus, thirty-eight (38) feet.~~
- ~~(3)~~ **(2)** For a ~~transit~~ school bus, forty-two (42) feet.
- ~~(4)~~ **(3)** For all others, forty-five (45) feet."

and when so amended that said bill do pass.

(Reference is to HB 1198 as introduced.)

AUSTIN, Chair

Committee Vote: yeas 11, nays 0.

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